

ARLINGTON PUBLIC SCHOOLS

In accordance with the provisions of the Massachusetts General laws, Chapter 30A, Section 20, notice is hereby given for the following meeting of the:

***Arlington School Committee
Standing Subcommittee: Policies and Procedures
Wednesday, March 24, 2021
12:00 PM***

Governor's order suspending certain provision of the Open Meeting Law.

Open Meeting

You are invited to a Zoom webinar.

When: Mar 24, 2021 12:00 PM Eastern Time (US and Canada)

Topic: School Committee Policies and Procedures Subcommittee, Wednesday, March 24, 2021, 12:00 p.m.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_T50tOdeqSTiWmyXYrAhiEw

After registering, you will receive a confirmation email containing information about joining the webinar.

Public Comment (items not on the agenda)

Approval of minutes

File JKAA - Physical Restraint of Students

BEDB Agenda Format/Preparation and Dissemination Policy

GCD Professional Staff and Observance of Major Religious Holidays (Discussion)

Emergency COVID travel restrictions

Adjournment

The listings of matters are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Stated times and time amounts, listed in parenthesis, are the estimated amount of time for that particular agenda item. Actual times may be shorter or longer depending on the time needed to fully explore the topic.

Submitted By: Paul Schlichtman, Chair of Policies and Procedures subcommittee

Massachusetts law requires all open session meetings of public bodies to be accessible to members of the public, including those with disabilities. If you need reasonable accommodations in order to participate in the meeting, contact the Administrative Assistant to the Arlington School Committee Karen Fitzgerald at kfitzgerald@arlington.k12.ma.us in advance of the meeting.



Town of Arlington, Massachusetts

Meeting Location

Summary:

Governor's order suspending certain provision of the Open Meeting Law.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Conducted_by_Remote_Participation_us.pdf	Conducted by Remote Participation

Conducted by Remote Participation

<https://www.mass.gov/doc/order-suspending-certain-provision-of-open-meeting-law/download>



Town of Arlington, Massachusetts

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Town of Arlington, Massachusetts

Public Comment (items not on the agenda)



Town of Arlington, Massachusetts

Approval of minutes



Town of Arlington, Massachusetts

File JKAA - Physical Restraint of Students

ATTACHMENTS:

Type	File Name	Description
▢ Policy	Restraint_Policy_Revised__JKAA-_(1).docx	Restraint Policy Revised
▢ Policy	Physical_Restraint_Policy_and_Procedures_Checklist_(1).docx	Checklist of Physical Restraint Policy

File: JKAA - PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint.

The district's use of physical restraint shall comply with 603 CMR 46.03. The definitions of forms of restraint shall be as defined in 603 CMR 46.02.

Mechanical restraint, medication restraint, and seclusion are prohibited.

Prone restraint is prohibited except on an individual student basis, and only under the following circumstances:

1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
3. There are no medical contraindications as documented by a licensed physician;
4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
6. The program has documented 603 CMR 46.03(1)(b) 1 - 5 in advance of the use of prone restraint and maintains the documentation.

Physical restraint, including prone restraint where permitted, is considered an emergency procedure of last resort and is prohibited in the district's programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

Physical restraint shall not be used:

1. As a means of discipline or punishment;
2. When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

3. As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
4. As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

Limitations on use of restraint: Physical restraint in the district shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Referral to law enforcement or other state agencies. Nothing prohibits:

1. The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
2. Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or
3. The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

The Superintendent will develop procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements; including, but not limited to making reasonable efforts to orally notify a parent of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00,
- A process for obtaining Principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint".

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

LEGAL REF.: M.G.L. 71:37G

603 CMR 46.00

PHYSICAL RESTRAINT BEHAVIOR AND SUPPORT POLICY AND PROCEDURES

Physical Restraint Policy and Procedures Checklist:

Does policy correctly address requirements of regulation? (Yes/No)	Page number or Location in Document (Section)	Regulatory Language
		46.02: Definitions
		Remember! <i>Some districts choose to list all of the Physical Restraint Regulation definitions in their policy and procedures. While all definitions are not required, if your district chooses to include them, please be sure to make the updates indicated below.</i>
		<input type="checkbox"/> Commissioner shall mean the commissioner of the Department of Elementary and Secondary Education appointed in accordance with G. L. c. 15 § 1F. or his or her designee.
		<input type="checkbox"/> Consent shall mean the agreement, in writing and in their native language, by a parent who has been fully informed of all information relevant to the activity; and the parent understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists records which will be released and to whom. The public education program may not condition admission or continued enrollment upon agreement to the proposed use of restraint.
		<input type="checkbox"/> Department shall mean the Department of Elementary and Secondary Education.

		<p>❑ Mechanical restraint shall mean the use of any physical device or equipment to restrict a student's freedom of the movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples include...activities without risk of harm. (see regulations for complete definition)</p>
		<p>❑ Parent shall mean a student's father, mother, or legal guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.</p>
		<p>❑ Physical escort shall mean a temporary touching or holding without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.</p>
		<p>❑ Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance and prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.</p>
		<p>❑ Principal shall mean the instructional leader or headmaster of a public education school program or his or her designee. The board of directors of a charter school or virtual school, or special education school or program approved under 603 CMR 28.09, shall designate in the restraint prevention and behavior support policy who will serve as principal for purposes of 603 CMR 46.00.</p>
		<p>❑ Prone restraint shall mean a physical restraint in which a student is placed face down on the floor or another surface , and physical pressure is applied to the student's body to the student in the face-down position.</p>
		<p>❑ Public education programs shall mean public schools including charter schools, virtual schools, collaborative education programs, and the school day of special education school approved under 603</p>

		<p>CMR 28.09, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. The term “programs” may be used in 603 CMR 46.00 to refer to “public education programs.” For the purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.</p>
		<p><input type="checkbox"/> School working day shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.</p>
		<p><input type="checkbox"/> Seclusion shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.</p>
		<p><input type="checkbox"/> Time-out shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.</p>
		<p>46.03: Use of Restraint</p>
		<p><input type="checkbox"/> A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1) (b), seclusion, and the use of restraint inconsistent with 603 CMR 46.00 (<i>unless prone restraint is permitted under the strict conditions of 603 CMR 46.03(1)(b)</i>).</p>
		<p><input type="checkbox"/> A statement outlining the circumstances when prone restraint is allowed. See regulations for exceptions.</p>

		<input type="checkbox"/> A statement indicating that physical restraint, including prone restraint where permitted shall be considered an emergency procedure of last resort and shall be prohibited in public education programs except when...inappropriate under the circumstances. See regulations for complete requirements.
		<input type="checkbox"/> Conditions under which physical restraint shall not be used, including as a standard response for any individual student. No written individual behavior plan or IEP may include use of physical restraint as a standard response to any behavior. See regulations for complete requirements.
		<input type="checkbox"/> Limitations on use of restraint. See regulations for limitations.
		46.04: Policy and Training
		<input type="checkbox"/> Methods for preventing student violence, self-injurious behavior and suicide (must include specific methods employed by the district).
		<input type="checkbox"/> Methods for engaging parents in discussions about restraint prevention and use (must include specific methods employed by the district).
		<input type="checkbox"/> A description and explanation of alternatives to physical restraint and methods of physical restraint in emergency situations (must include specific methods employed by the district).
		<input type="checkbox"/> A statement prohibiting: medication restraint, mechanical restraint, prone restraint (with exceptions), seclusion, and physical restraint in a manner inconsistent with 603 CMR 46.00.
		<input type="checkbox"/> A description of the program's training requirements, reporting requirements, and follow-up procedures
		<input type="checkbox"/> A procedure for receiving and investigating complaints regarding restraint practices
		<input type="checkbox"/> A procedure for conducting periodic review of data and documentation on the program's use of restraint
		<input type="checkbox"/> A procedure for implementing the reporting requirements as described in 603 CMR 46.06.
		<input type="checkbox"/> A procedure for making reasonable efforts to orally notify a parent...

		<input type="checkbox"/> If the program uses time-out as a behavioral support strategy, a procedure for the use of time-out.
		<input type="checkbox"/> Procedures for training for all staff including: <ul style="list-style-type: none"> ○ Requirement that <u>all</u> staff must review the district's restraint prevention and behavior support policy and procedures at least annually within the first month of each school year. ○ Requirement that training for new employees must occur within a month of their employment.
		<input type="checkbox"/> Content of required training for all staff that includes: <ul style="list-style-type: none"> ○ The role of the student, family, and staff in preventing restraint ○ Prevention and behavior support policy and procedures ○ Interventions that may preclude the need for restraint ○ Types of permitted physical restraints ○ Administering physical restraint ○ Identification of program staff See regulations for complete requirements.
		<input type="checkbox"/> Procedures for in-depth staff training in the use of physical restraint.
		<input type="checkbox"/> Content of in-depth staff training that includes the following : <ul style="list-style-type: none"> ○ Appropriate procedures for prevention ○ Description and identification of specific dangerous behaviors that may lead to the use of physical restraint ○ Simulated experience of administering and receiving restraint ○ Instruction regarding documentation and reporting ○ Demonstration of proficiency in administration ○ Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects. See regulations for complete requirements.
		46.05: Proper Administration of Physical Restraint
		<input type="checkbox"/> Trained personnel.
		<input type="checkbox"/> Use of force.

		<input type="checkbox"/> Safest method.
		<input type="checkbox"/> Duration of restraint. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.
		<input type="checkbox"/> Safety requirements. During the administration of a restraint, a staff member continuously monitors the physical status of the student, including skin temperature and color, and respiration.
		<input type="checkbox"/> Restraint administration.
		<input type="checkbox"/> Procedures for a restraint conducted for a period longer than 20 minutes as outlined in 603 CMR 46.05
		<input type="checkbox"/> Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student.
		<input type="checkbox"/> Follow-up procedures.
		46.06: Reporting Requirements
		<input type="checkbox"/> A description of the program's reporting requirements for any physical restraint
		<input type="checkbox"/> Procedure for informing the principal
		<input type="checkbox"/> Procedure for informing parents
		<input type="checkbox"/> Contents of required written report include: <ul style="list-style-type: none"> ○ Name of the student... ○ Description of activity... ○ Description of administration... ○ Information regarding further action (s)... ○ Information regarding opportunities... See regulations for complete requirements.
		<input type="checkbox"/> Procedures for individual student review <ul style="list-style-type: none"> ○ Procedures for principals to conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week, and

		<ul style="list-style-type: none"> ○ If such students are identified, procedure for principals to convene one or more review teams as appropriate to assess each student's progress and needs <p>See regulations for complete requirements.</p>
		<input type="checkbox"/> Procedures for administrative review <ul style="list-style-type: none"> ○ Procedures for conducting periodic review of data and documentation on the program's use of restraint
		<input type="checkbox"/> Procedures to report all restraint-related injuries to the Department as dictated by 603 CMR 46.06
		<input type="checkbox"/> Procedures for reporting all physical restraints to the Department as well as procedures to collect and annually report data to the Department regarding the use of physical restraints
		<input type="checkbox"/> Procedures for receiving and investigating complaints
		<input type="checkbox"/> Procedures for principals to conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week.



Town of Arlington, Massachusetts

BEDB Agenda Format/Preparation and Dissemination Policy

ATTACHMENTS:

Type	File Name	Description
▣ Policy	proposed_BEDB_(Hayner)_(1).docx	BEDB Agenda Format Prep and Dissemination 3 24 2021

BEDB - AGENDA FORMAT/PREPARATION AND DISSEMINATION

An agenda shall be provided for all regular, special, adjourned and planning meetings.

A tentative agenda for each regular meeting shall be determined by the chairperson in collaboration with the Superintendent. It shall be submitted to the administrative assistant of the Committee for preparation and delivery to the members, notice to the press, and posting online. The agenda and supporting materials **and shall contain summaries of any written reports and/or media**, as gathered by the Superintendent, shall be sent to Committee members ~~two workdays~~ **the Friday** preceding the School Committee meeting, no later than 4:00 p.m., except for emergencies. Any items received by the administrative assistant later than 4:00 p.m. ~~two~~ **six** workdays preceding the School Committee meeting shall be held and heard the following meeting, except for emergencies.

In addition, the administrative assistant shall provide the following to the Arlington Public Schools Direct of Technology to be posted on the website:

- School Committee agendas, posted with a disclaimer that the agenda is tentative and may be subject to change up until the time of the meeting
- School Committee minutes, motions and appropriate back up material
- Subcommittee agendas, posted with a disclaimer that the agenda is tentative and may be subject to change up until the time of the meeting
- Subcommittee minutes, motion and appropriate back up material

The following shall be included, but not limited to, items of business to be considered at each regular meeting:

- Public Comment
- Consent Agenda
- Superintendent's report
- Report of subcommittees and announcements

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the committee, or to expedite committee business.

Items of business may be suggested by any School Committee member, staff member, or town resident. The inclusion of such items, however, will be at the discretion of the Chairperson of the Committee. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent. Individuals may submit such requests to the school committee chair through the Committee's administrative secretary.

Copies of the final agenda shall be available to spectators at all open session meetings for which an agenda is required.

School committee members are subject to the provisions of the Open Meeting Law, limiting opportunities for members to deliberate with each other. In order to facilitate deliberation and discussions, reports and presentations directed at the Committee shall not exceed 15 minutes, unless the chair determines that scheduling a longer presentation is necessary. In addition, the rules may be suspended by a two-thirds vote of the members present. Written reports

may be received by a vote of the Committee and entered into the record of the meeting, and shall not be read aloud at the meeting. All presentations shall be consistent with the high instructional standards of the Arlington Public Schools, and PowerPoints shall be crafted in a manner consistent with best practices.

Whenever possible the materials for the meeting will be made available online to the public at the start of the meeting.

All published agendas shall contain the following language:

"Massachusetts law requires all open session meetings of public bodies to be accessible to members of the public, including those with disabilities. If you need reasonable accommodations in order to participate in the meeting, contact the Administrative Assistant to the Arlington School Committee [Insert Name/Contact Information] in advance of the meeting."

Consent Agenda

Items that are considered to be routine shall be placed on the Consent Agenda and shall be enacted by one motion. The Agenda shall have an asterisk (*) next to each item placed on the Consent Agenda. There shall be no separate discussion of items placed on the Consent Agenda unless a member of the School Committee so requests, in which event the item shall be considered in its normal sequence on the agenda. Any one member of the committee may remove an item from the Consent Agenda for discussion. Items that may be placed on the consent Agenda may include but are not limited to the following: a) minutes of previous meetings, b) changes to the policy manual (second reading), c) field trips, d) warrant approvals, and e) other items that deemed to be routine by the Chair.

For the benefit of the public, the Chair will read the following paragraph and the list of items included in the Consent Agenda:

"All items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Committee so requests, in which event the item will be considered in its normal sequence on the agenda. "

CONTRACT REFERENCE: AEA (Unit A&B)

CROSS REF: [BEDH](#), Public Comment at School Committee Meetings

Amended and voted: December 19, 2019



Town of Arlington, Massachusetts

GCD Professional Staff and Observance of Major Religious Holidays (Discussion)

ATTACHMENTS:

Type	File Name	Description
▢ Policy	GCD_Professional_Staff_and_Observance_3_24_2021.pdf	GCD Professional Staff and Observance of Major Religious Holidays Discussion

File: GCD - PROFESSIONAL STAFF AND OBSERVANCE OF MAJOR RELIGIOUS HOLIDAYS

A. General Provisions Relating to Religious Observances

For any and all days of religious observance, the following shall apply:

1. Staff absences shall be excused consistent with provisions of collective bargaining agreements and individual contracts.
2. Ample and flexible accommodations shall be made to assist staff in professional activities, etc. They should be given sufficient time to do so with the expectation that they will not be working on those days.

It is also expected that these and other religious observances will be taken into consideration in a sensitive manner when scheduling ancillary activities such as school photographs, after school and evening programs, etc.

B. Provisions Relating to Specified Religious Observances

On days of major religious observances where school is in session and it is expected that significant number of staff will be absent the following shall apply: ·

1. For staff, there shall be no key professional meetings scheduled.
2. A list of the religious observances, and their dates for any given year, to which these provisions apply shall be maintained by the Superintendent and provided annually to all staff. Other similar days of religious observances may be added to this list as they are identified.

The dates of these observances shall be duly noted as an integral part of the school calendar; and reminders shall be issued to staff sufficiently in advance of these dates that the intent of the policy can be carried out.

The Superintendent shall take note of religious observances when significant numbers of teachers are absent and shall periodically review the above list of religious observances and report to the Committee any changes to the list.



Town of Arlington, Massachusetts

Emergency COVID travel restrictions



Town of Arlington, Massachusetts

Adjournment



Town of Arlington, Massachusetts

Submitted By: Paul Schlichtman, Chair of Policies and Procedures subcommittee